

OFFICE OF THE  
**DISTRICT ATTORNEY**  
COUNTY OF SANTA BARBARA

**JOYCE E. DUDLEY**  
District Attorney



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\*\*\*\*\*PRESS RELEASE\*\*\*\*\*

Santa Barbara County District Attorney Joyce E. Dudley announced today that her office, in conjunction with 22 other District Attorney's Offices throughout California, resolved a consumer-protection action against Amazon.com, Inc. ("Amazon"). The settlement was based on allegations that Amazon advertised and sold plastic products in California that were misleadingly labeled as "biodegradable" or "compostable" in violation of California law. "As other District Attorneys have noted," stated District Attorney Joyce Dudley, "Californians, especially those living in Santa Barbara County, are willing to pay more for items that are described as "biodegradable" or even "organic" because of their strong environmental concerns. Therefore, it is incumbent upon us to make sure designations like this be accurate so that the consumer is not defrauded."

Beginning in 2004, the California Legislature began limiting the sale of plastics marketed as "biodegradable" by enacting statutes under the Public Resources Code. Because the ability of plastic to biodegrade depends greatly on the environment in which it is placed, with landfills being less than ideal due to their limited sunlight, moisture, and oxygen content, the Legislature found claims of "biodegradable" plastics to be inherently misleading. The Legislature was concerned about the growing number of marketers making such claims and the potential for consumers to pay a premium for such plastic products based on an assumption that the products will quickly biodegrade after disposal.

Since January 1, 2013, the Public Resources Code has prohibited the sale or offer for sale of any plastic product labeled as "biodegradable," "degradable," or with language that otherwise implies that the product will break down in a landfill or other environment. The Public Resources Code also prohibits selling a plastic product labeled as "compostable" unless the product has met an established scientific standard designed to ensure the product will break down in municipal compost.

Upon contact from prosecutors regarding sales of "biodegradable" plastic products to consumers in California, Amazon took immediate steps to stop such sales and worked cooperatively with prosecutors throughout the settlement process, the District Attorney's Office said.

Amazon agreed to pay \$1,512,400 in civil penalties and investigative costs to settle the case. Of these penalties, Santa Barbara County will receive \$6,000. The judgment also includes an injunction that prohibits Amazon from unlawfully selling or offering for sale plastic products labeled as "biodegradable" or using similar terms, or selling or offering for sale plastic products labeled as "compostable" without appropriate certification. Amazon also agreed to make an additional payment of \$50,000 to CalRecycle to fund testing of plastic products marketed to consumers as compostable or degradable.

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